

AMENDED IN ASSEMBLY MARCH 30, 2016

AMENDED IN ASSEMBLY MARCH 10, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 1887**

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**Introduced by Assembly Member Low**  
**(Coauthor: Assembly Member Ting) (Coauthors: Assembly Members**  
**Chiu and Ting)**

February 11, 2016

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An act to add Section 11139.8 to the Government Code, relating to discrimination.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1887, as amended, Low. State government: discrimination: travel.

Existing law prohibits discrimination on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability under any state program or activity. Existing law provides for officers and employees of the state, when away from their headquarters for state business, to receive travel expenses.

This bill would prohibit a state agency *and the Legislature* from requiring any of its employees, officers, or members to travel ~~to any state with a law in effect that sanctions or requires discrimination on the basis of sexual orientation, gender identity, or gender expression,~~ *to*, or approving a request for state-funded or state-sponsored travel ~~to to, any state with a law in effect that sanctions that, after June 26, 2015, has enacted a law that voids or repeals existing state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression or has enacted a law that authorizes or requires~~

discrimination *against same-sex couples or their families* or on the basis of sexual orientation, gender identity, or gender expression, *as specified*, subject to specified exceptions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11139.8 is added to the Government  
2 Code, to read:

3 11139.8. (a) The Legislature finds and declares all of the  
4 following:

5 (1) California is a leader in protecting civil rights and preventing  
6 discrimination.

7 (2) California's robust nondiscrimination laws include  
8 protections on the basis of sexual orientation, gender identity, and  
9 gender expression, among other characteristics.

10 (3) Religious freedom is a cornerstone of law and public policy  
11 in the United States, and the Legislature strongly supports and  
12 affirms this important freedom.

13 (4) The exercise of religious freedom should not be a  
14 justification for discrimination.

15 (5) California must take action to avoid supporting or financing  
16 discrimination against lesbian, gay, bisexual, and transgender  
17 people.

18 (6) It is the policy of the State of California to promote fairness  
19 and equality and to combat discrimination.

20 (b) ~~An~~—A state agency, department, board, authority, or  
21 commission, including an agency, department, board, authority,  
22 or commission of the University of California, the Board of  
23 Regents of the University of California, or the California State  
24 ~~University~~ University, and the Legislature shall not do either of  
25 the following:

26 (1) Require any of its employees, officers, or members to travel  
27 to a state ~~with a law in effect that sanctions that, after June 26,~~  
28 ~~2015, has enacted a law that voids or repeals existing state or~~  
29 ~~local protections against discrimination on the basis of sexual~~  
30 ~~orientation, gender identity, or gender expression or has enacted~~  
31 ~~a law that authorizes or requires discrimination against same-sex~~  
32 ~~couples or their families or on the basis of sexual orientation,~~

1 gender identity, or gender ~~expression~~. *expression, including any*  
2 *law that creates an exemption to antidiscrimination laws in order*  
3 *to permit discrimination against same-sex couples or their families*  
4 *or on the basis of sexual orientation, gender identity, or gender*  
5 *expression.*

6 (2) Approve a request for state-funded or state-sponsored travel  
7 to a state ~~with a law in effect that sanctions that, after June 26,~~  
8 *2015, has enacted a law that voids or repeals existing state or*  
9 *local protections against discrimination on the basis of sexual*  
10 *orientation, gender identity, or gender expression, or has enacted*  
11 *a law that authorizes or requires discrimination against same-sex*  
12 *couples or their families or on the basis of sexual orientation,*  
13 *gender identity, or gender ~~expression~~. *expression, including any**  
14 *law that creates an exemption to antidiscrimination laws in order*  
15 *to permit discrimination against same-sex couples or their families*  
16 *or on the basis of sexual orientation, gender identity, or gender*  
17 *expression.*

18 (c) Subdivision (b) shall not apply to travel that is necessary for  
19 the enforcement of California law, to meet ~~prior~~ contractual  
20 ~~obligations~~; *obligations incurred before January 1, 2017, or for*  
21 the protection of public health, welfare, or safety.

22 (d) The prohibition on state-funded travel described in this  
23 section shall continue while any law specified in subdivision (b)  
24 remains in effect.